

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NORTH CAROLINA FARM BUREAU
FEDERATION, INC.; *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
LABOR; *et al.*,

Defendants.

Case No. 5:24-CV-527

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs North Carolina Farm Bureau Federation, Inc., Hight Family Farms, LLC., and Triple B Farms, Inc. (collectively "Plaintiffs") submit this Motion for Summary Judgment, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, on the grounds that there is no material question of fact to preclude judgment in favor of Plaintiffs and Plaintiffs are entitled to judgment in their favor on all claims as a matter of law. In support of this Motion, Plaintiffs also file Plaintiffs' Memorandum in Support of their Motion for Summary Judgment; Plaintiffs' Local Rule 56.1 Statement of Undisputed Material Facts in Support of their Motion for Summary Judgment, which cites to the Verified Complaint and the previously filed declarations of Brandon Douglas Batten and David Michael Hight, Jr., D.E. 1 at 21, 23; and an Appendix with the following materials:

(1) Declaration of Michael P. Sherman.

WHEREFORE, Plaintiffs respectfully request that this Court enter an order granting summary judgment on all of Plaintiffs' claims in the Verified Complaint, and for any such further

relief as this Court deems fair and just. Given the importance of this matter, Plaintiffs' respectfully request that the Court schedule an oral argument upon completion of briefing in this matter.

Respectfully submitted this the 13th day of October, 2024.

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CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of October 2024, I electronically filed the foregoing **Motion for Summary Judgment** with the Court using the CM/ECF system, and will serve a copy counsel for Defendants via email and US Mail in accordance with the Federal Rules of Civil Procedure.

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